

single source for local and long-distance service, and this has put significant pressure on the competition to provide lower prices, enhanced services, and greater quality. See generally Tebeau Aff. ¶¶ 34-40.⁶⁶ Survey after survey has shown customers' confusion and frustration with telephone bills.⁶⁷ The prices and simplicity of SBC's initial long-distance service plans offer customers a low per-minute charge with no monthly minimum or monthly recurring charges.⁶⁸ Numerous studies have documented the savings to consumers of section 271 approval. A recent St. Louis Post-Dispatch article even estimated the potential consumer savings in Missouri to be about \$383 million.⁶⁹

With simpler long-distance rates and the convenience to customers of one all-inclusive telephone bill, the 271-approved BOCs have attracted an unexpectedly high number of

⁶⁶ "We need only review the state of competition in New York and Texas to know the Act is working." William E. Kennard, Chairman, FCC, Statement Before the Committee on the Judiciary United States House of Representatives on H.R. 1686 – the "Internet Freedom Act" and H.R. 1685 – the "Internet Growth and Development Act" (July 18, 2000), at <http://www.house.gov/judiciary/kenn0718.htm> ("Kennard Testimony").

⁶⁷ SBC Communications To Launch Long Distance Service in Texas, Bus. Wire, July 7, 2000 ("Seventy-eight percent of those surveyed incorrectly believe the average amount paid per minute for a long distance call is between 5 and 14 cents. According to a recent survey by Gartner Group, the average consumer is paying 22 cents a minute for long distance.").

⁶⁸ See Paul Davidson, Long-Distance Phone Carriers Left Hanging: Vicious Competition, Tech Revolution Push Traditional Firms Out of the Loop, USA Today, Nov. 2, 2000 ("Unlike their long-distance rivals, the Bells impose no monthly fees on plans that range from 6 cents to 10 cents a minute."); Jennifer Files, Texas-Based Phone Company Changes Focus from Acquisitions to Customer Service, San Jose Mercury News, Dec. 10, 2000 ("Whatever plan they pick, Southwestern Bell's long-distance subscribers can't really lose – its highest rate for calls from a subscriber's home is 9 cents a minute – far below AT&T's basic rate of 29.5 cents a minute.").

⁶⁹ See Steve Pociask, We've Come a Long Way ... But Regulatory Barriers Have Placed the Future on Hold, St. Louis Post-Dispatch, Dec. 27, 2000, at B7 ("[R]egulatory barriers that protect long-distance companies from competition are costing residential consumers dearly. In fact, by my estimate, the long-distance prohibition in Missouri results in a \$383 million overpayment by telecommunications consumers to long-distance companies, or about 30 percent of long-distance expenditures in the state.").

customers. After only about ten days of service in Texas, SBC signed up 150,000 long-distance customers.⁷⁰ By the end of 2000, SBC had 1.7 million long-distance lines in Texas, representing 1.4 million customers.⁷¹ Verizon New York long-distance service began in January 2000, and by the end of the year, Verizon had also signed up approximately 1.4 million residential customers.⁷²

On March 5, 2001, two days before Southwestern Bell's scheduled launch of long-distance service in Kansas and Oklahoma, AT&T announced a special deal exclusively for its long-distance customers in Kansas and Oklahoma. AT&T customers in these two states automatically received a special AT&T customer service greeting while placing a call and thirty free minutes of long-distance calling. The promotion in Oklahoma and Kansas by AT&T "is part of the first broader application of this innovative technology."⁷³

In response to SBC's entry into the long-distance market in Texas, incumbent long-distance carriers such as AT&T, MCI WorldCom, and Sprint began to offer discounts on their regular long-distance plans to customers who also signed up for local service. To attract local

⁷⁰ See Bruce Meyerson, SBC and Sprint Top Wall Street Forecasts for April-June Quarter, Associated Press, July 20, 2000; Bruce Hight, SW Bell Will Start Selling Long-Distance on Monday; AT&T, WorldCom, Austin American Statesmen, July 7, 2000, at A1 (quoting Sam Simon, Chairman, Telecommunications Research & Action Center, who noted that "Bell Atlantic's entry into long-distance – and the entry of AT&T and MCI among others, into local – has lowered costs and lowered rates for consumers, generally across the board").

⁷¹ See Vince Vittore, SBC Long-Distance Progresses, Telephony, Jan. 29, 2001.

⁷² See Telecommunications Regional Bells Looking at Long Run with Spending Plans, Investor's Bus. Daily, Jan. 17, 2001, at A8.

⁷³ See AT&T Press Release, AT&T Long Distance Customers in Kansas Get the Message: Thanks for Your Loyalty, Mar. 5, 2001, at <http://www.att.com/press/item/0,1354,3701,00.html>; AT&T Press Release, AT&T Long Distance Customers in Oklahoma Get the Message: Thanks for Your Loyalty, Mar. 5, 2001 at <http://www.att.com/press/item/0,1354,3702,00.html>.

customers in Texas, AT&T offers super discount rates on calls to Mexico for Texans who sign up for AT&T's residential local service.⁷⁴ Called AT&T's Local One Rate – Texas, this plan had, by the end of 2000, attracted 250,000 customers.⁷⁵ Today, the number is apparently closer to 325,000.⁷⁶ MCI WorldCom's residential local offerings consist of two specially designed local/long-distance bundles marketed under the name "One Company Advantage."⁷⁷ MCI WorldCom recently reaffirmed its aggressive drive to attract local customers: "MCI WorldCom continues to sign up new customers in Texas 'We're very committed to local phone service. . . .'"⁷⁸

This recent activity confirms that the benefits of approving a section 271 application are not limited to long-distance competition. Indeed, the granting of section 271 relief has led competitors to increase substantially their commitment to local competition. For example, in the period from January 2000 through February 2001 – a period encompassing the six months immediately before and the eight months after the approval of Southwestern Bell's Texas 271

⁷⁴ See AT&T Offers Reduced Rates to Mexican Border Cities, PR Newswire, Oct. 26, 2000.

⁷⁵ See Paul English, 'Baby Bells' Eager to Enter Long-Distance Market Adding Service Would Be Easy, Lucrative, Saturday Oklahoman, Dec. 9, 2000 ("[I]n Texas, since the summer of 1999, AT&T has converted 250,000 Bell customers . . . to AT&T's local service.").

⁷⁶ See Vikas Bajaj, SBC Raises Non Local Call Rates; Company Says Prices Better Reflect Costs, Dallas Morning News, Feb. 2, 2001, at 1D ("There is no doubt they [SBC] have taken some of our long-distance customers, but we have taken 325,000 of their local service customers," said Kerry Hibbs, an AT&T Corp. spokesman. "We think we are doing pretty well."") (alteration in original).

⁷⁷ See MCI WorldCom Website, MCI WorldCom Local Phone Service: Texas (visited Mar. 24, 2001), at http://www.mciworld.com/for_your_home/products_services/local/tx_splash.shtml.

⁷⁸ See Tom Fowler, Telecom Issues Come Calling, Houston Chronicle, Jan. 7, 2001, at 1 (quoting MCI WorldCom spokeswoman Leland Prince).

Application – the amount of local competition (as reflected by specific competitive indicators) increased substantially: the lines captured by facilities-based competitors grew by 114 percent; operational physical collocations increased by 133 percent; unbundled stand-alone loops increased by 149 percent; electronic and manual orders processed increased by 130 percent; and UNE loop/port combinations increased by an astounding 609 percent. *Id.* ¶ 34 & Table 7.

SBC and Verizon, together with their local competitors, have also begun to invest even greater sums in advanced services and in upgrading the local infrastructure in those states where section 271 authorization has been granted. Verizon has invested approximately \$1.5 billion in Western New York during the past year, including 150,000 miles of fiber optic cable, more than 90 switching centers, and more than 800,000 access lines.⁷⁹ Last year in Texas, SBC invested more than \$1 billion to upgrade its central offices, expand Advanced Intelligent Network capacity, and install 2,600 miles of fiber-optic cable.⁸⁰ In addition, through SBC's \$6 billion broadband initiative – Project Pronto – SBC's DSL service was made available to an additional 900,000 Texas residences and businesses, bringing broadband service at the start of 2001 to a total of 46 cities in Texas.⁸¹ To upgrade its networks and central offices, and lay new fiber-optic cable, SBC last year invested over \$230 million and \$135 million in Kansas and Oklahoma, respectively – this includes 300 miles of new fiber-optics in each state.⁸²

⁷⁹ Verizon Fiber Network Wires Buffalo Market, American City Bus. J., Jan. 15, 2001, at 11 (“Competition is driving this investment with more and more companies vying for service.”).

⁸⁰ See SWBT Press Release, Southwestern Bell Invests \$1 Billion in Network Enhancements, High Tech Product Offerings to Ensure State-of-the-Art Communications for Texans in 2001, Feb. 8, 2001, at <http://www.swbell.com/About/NewsCenter/ShowRelease/0,1018,20010208-01,00.html?NID=>.

⁸¹ See *id.*

⁸² See SWBT Press Release, Southwestern Bell Invests Millions in Network Enhancements, High Tech Product Offerings to Ensure State-of-the-Art Communications for

Along with discounts on local/long-distance bundles and reduced intrastate rates, the incumbent interexchange carriers are also leveraging advanced technologies. According to former Chairman Kennard, “We have witnessed a dynamic market for broadband services develop as a result of the opening of local markets in Texas and New York.”⁸³ AT&T recently announced major improvements to its networks serving several Texas cities, including upgrading its fiber network to OC-192 (ten gigabits per second).⁸⁴ And AT&T is using Texas as one of its test grounds for cable telephone service.⁸⁵ All three of the major interexchange carriers are implementing fixed wireless networks to provide broadband access and residential telephone services. In parts of Texas, AT&T uses a fixed wireless system to offer customers a local/long-

Kansans in 2001, Mar. 2, 2001, at <http://www.swbell.com/About/NewsCenter/ShowRelease/0,1018,20010302-01,00.html?NID=>; SWBT Press Release, Southwestern Bell Invests Millions in Network Enhancements, High Tech Product Offerings to Ensure State-of-the-Art Communications for Oklahomans in 2001, Feb. 20, 2001, at <http://www.swbell.com/About/NewsCenter/ShowRelease/0,1018,20010220-01,00.html?NID=>.

⁸³ Kennard Testimony, supra n.64.

⁸⁴ See AT&T Press Release, AT&T Offers Austin Business Customers Local Service Choice, Dec. 5, 2000 (“In a move to enhance the suite of local voice and data services it offers business customers, AT&T has completed a \$10 million enhancement of its high-speed local network serving the Austin area.”), at <http://www.att.com/press/item/0,1354,3527,00.html>; AT&T Press Release, AT&T Offers San Antonio Business Customers Local Service Choice, Dec. 5, 2000 (“AT&T has completed an \$11 million enhancement of its high-speed local network serving the San Antonio area. The company is aggressively targeting the lucrative \$110 billion-plus local services marketplace nationwide with promotional offers.”), at <http://www.att.com/press/item/0,1354,3526,00.html>; AT&T Press Release, AT&T Offers Houston Business Customers Local Service Choice, Nov. 29, 2000 (“AT&T has completed a \$100 million enhancement of its high-speed local network serving the Houston area”), at <http://www.att.com/press/item/0,1354,3501,00.html>; AT&T Press Release, AT&T Offers Dallas/Fort Worth Business Customers Local Service Choice, Oct. 19, 2000 (“AT&T is completing a \$28 million enhancement of its high-speed local network serving the Dallas and Fort Worth metroplex”), at <http://www.att.com/press/item/0,1354,3408,00.html>.

⁸⁵ AT&T Broadband spokeswoman Sarah Duisik commented on how AT&T has spent nearly \$200 million in Dallas to upgrade cable networks to offer two-way transmission. See Jim Landers, Faster, Faster: Americans Clamor for High-Speed Net; FCC to Release Data on Spread of Broadband Services, Dallas Morning News, Aug. 3, 2000, at 22A.

distance package.⁸⁶ In Dallas, MCI WorldCom offers a new alternative to wireline voice and internet service with Multichannel Multipoint Distribution Service technology.⁸⁷ And Sprint has developed a wireless Internet service, using line-of-sight technology, that debuted this past summer and is already available in Houston.⁸⁸

B. SWBT Is Subject to Comprehensive Performance Reporting and Monitoring Requirements

The Commission has noted repeatedly that “the fact that a BOC will be subject to performance monitoring and enforcement mechanisms would constitute probative evidence that the BOC will continue to meet its section 271 obligations and that its entry would be consistent with the public interest.”⁸⁹ It is beyond serious dispute that SWBT’s performance reporting and remedy plan provides such “probative evidence.” The starting point for the plan is performance measurements developed in collaboration with CLECs and state and federal regulators and

⁸⁶ Technology Briefs, Dallas Morning News, Feb. 28, 2001, at 2D (“AT&T Corp. changed the name Tuesday of its fixed wireless service in North Texas to AT&T Wireless Digital Broadband. The service will cost \$29.35 a month for unlimited local and long-distance calls within Texas.”).

⁸⁷ See MCI WorldCom Press Release, MCI WorldCom Adds Dallas to “Fixed Wireless” Service Trials, Apr. 5, 2000 (“MCI WorldCom today announced Dallas as the fifth market for test cutting-edge wireless technology which soon will offer customers a new, competitive alternative for high-speed, broadband service. The Dallas trial is the latest step in MCI WorldCom’s overall strategic efforts to offer high-speed, broadband services using radio spectrum designated for an advanced technology known as Multichannel Multipoint Distribution Service (MMDS).”) at http://www.worldcom.com/about_the_company/press_releases/display.phtml?cr/20000405.

⁸⁸ See Tom Fowler, Sprint Has Wireless Net Access, Houston Chronicle, Oct. 3, 2000; Sprint Press Release, Sprint Introduces New Broadband Wireless Service to Fresno’s Residential and Small Business Customers, Jan. 23, 2001, at http://144.226.116.29/PR/CDA/PR_CDA_Press_Releases_Detail/1,1579,2198,00.html.

⁸⁹ Kansas/Oklahoma Order ¶ 269; see also Second Louisiana Order, 13 FCC Rcd at 20806, ¶ 363.

approved by this Commission in the Texas and Kansas/Oklahoma Orders. See Dysart Aff. ¶ 15; Texas Order, 15 FCC Rcd at 18562-63, ¶ 425; Kansas/Oklahoma ¶ 273. Moreover, SWBT has now demonstrated the “continuing ability of the measurements to evolve,” by implementing – pursuant to the Missouri PSC’s express approval – all changes that were ordered by the Texas Commission in its recently completed six-month review process. Dysart Aff. ¶ 4; see Kansas/Oklahoma Order ¶ 275; Texas Order, 15 FCC Rcd at 18652-53, ¶ 425. Finally, SWBT has proposed a performance penalty plan that mirrors the Texas, Kansas, and Oklahoma plans in all material respects, thus providing assurance that SWBT will continue to provide CLECs with nondiscriminatory service in the wake of section 271 relief.

Performance Measurements. To allow CLECs and regulators to confirm that SWBT is providing local facilities and services on a nondiscriminatory basis, SWBT’s performance plan creates a comprehensive set of primary performance measurement categories. See Dysart Aff. ¶ 9; Texas Order, 15 FCC Rcd at 18560-61, ¶ 422. These measures track all aspects of SWBT’s wholesale performance, including pre-ordering, ordering, provisioning, maintenance/repair, and billing of UNEs and resold services; interconnection and collocation; directory assistance and operator services; 911 services; interim and long-term number portability; directory assistance database; access to poles, ducts, conduits, and rights-of-way; loading and testing of NXX codes; and fulfillment of Bona Fide Requests for new UNEs or interconnection arrangements. Dysart Aff. ¶ 9.

To assess SWBT’s performance on each of these measurements, data are collected monthly and disaggregated on a product-specific basis in accordance with detailed business rules. See id. ¶ 10; M2A Attach. 17 – Performance Remedy Plan, App. 3. Wherever possible, SWBT’s performance measurements compare service on behalf of Missouri CLECs directly to

the level of service in SWBT's retail operations. Dysart Aff. ¶ 9. Where no comparable retail function exists, the level of service provided to CLECs is tested against established benchmarks. See id. SWBT employs traditional statistical analysis to gauge the significance of apparent differences in performance. Id. ¶¶ 23-26, 160-168.⁹⁰

SWBT makes its performance data available to CLECs, the Missouri PSC, and this Commission through an Internet website that includes individual CLECs' data (which are not available to other CLECs), aggregated data for all Missouri CLECs, and SWBT's retail data. Dysart Aff. ¶¶ 155-156. SWBT has also implemented procedures to allow CLECs access to the raw data underlying particular performance results. Id. ¶ 157. Missouri CLECs wishing to receive performance measurement reports do not need to have specific provisions covering this reporting in their existing interconnection agreements; rather, SWBT generates, and makes available on the website, carrier-specific performance reports for each CLEC that requests such reports through its SWBT Account Manager. Id. ¶ 155.

Although based on a region-wide collaboration, SWBT's performance measurements reflect the input of the Missouri PSC as well as numerous CLECs operating in the state. Id. ¶¶ 16, 19. Indeed, the Missouri PSC and Missouri CLECs participated in the six-month review that led to the adoption of the current version of SWBT's performance measures. Id. ¶ 16. That participation, moreover, is a built-in feature of the plan. See M2A Attach. 17, § 6.4. As this Commission has recognized, the "continuing ability of the measurements to evolve is an

⁹⁰ The statistical tests employed in the Missouri plan have been revised slightly from the Texas plan to increase the accuracy of the reported results. See Dysart Aff. ¶¶ 23-26. These changes are designed to make the tests easier to apply, while ensuring fidelity to accepted statistical techniques and to the standards approved in the New York Order, 15 FCC Rcd at 4182-91, App. B.

important feature because it allows the Plans to reflect changes in the telecommunications industry.” Kansas/Oklahoma Order ¶ 275; Texas Order, 15 FCC Rcd at 18562-63, ¶ 425.

Independent Data Testing. SWBT’s region-wide data collection methods and procedures have passed an independent, third-party test conducted by Telcordia under the direction of the Texas Commission. See Telcordia Technologies Inc., Southwestern Bell OSS Readiness Report §§ 6.3.6.1, 6.5.1 (Tex. Comm’n filed Sept. 1999) (“Telcordia Final Report”) (included as Attachment A to the Affidavit of Beth Lawson (MPSC filed June 28, 2000) (App. C, Tab 49). Telcordia confirmed that SWBT properly implemented the plan’s business rules for each performance measurement and validated numerical results reported by SWBT. “While Telcordia did make several recommendations regarding SWBT’s data control mechanisms, . . . SWBT has agreed to implement each of these measures.” Texas Order, 15 FCC Rcd at 18564, ¶ 429.

Telcordia’s endorsement of SWBT’s data collection procedures is valid regionwide. SWBT’s Missouri data have nonetheless undergone an additional independent third-party audit. This audit, conducted by Ernst & Young under the auspices of the Missouri PSC, concluded that SWBT’s reported data accurately reflect its performance, and that SWBT’s data gathering processes were sufficient. Dysart Aff. ¶¶ 178-186. This audit provides further support for the adequacy of SWBT’s performance measurements, and for the reliability and accuracy of its reported data.

Penalty Plan. SWBT’s proposed payment plan – involving self-executing payments to the Missouri state treasury, as well as to CLECs – is practically a mirror image of the plans that this Commission approved in Texas, Kansas, and Oklahoma. See Final Missouri PSC Order at 89; Texas Order, 15 FCC Rcd at 18560-64, ¶¶ 422-427; Kansas/Oklahoma Order ¶¶ 273-280. The plan puts \$98 million at risk during the first year, see Dysart Aff. ¶ 19, which is virtually the

same liability – measured as a percentage of net revenue – that was approved in Texas, Kansas, Oklahoma, and New York. See Texas Order, 15 FCC Rcd at 18561-62, ¶ 424; Kansas/Oklahoma Order ¶ 274 & n.837; New York Order, 15 FCC Rcd at 4168, ¶ 436 n.1332. Likewise, SWBT’s “procedural caps” – mechanisms designed to ensure that no single CLEC receives a disproportionate share of the total payments – are generally equivalent (on a percentage basis) to the procedural caps in place in Texas, Kansas, and Oklahoma. See Dysart Aff. ¶ 22 & n.20. And the key structural features of the plan – including the two-tiered payment scheme, and increased assessments for substandard performance on certain measures affecting nascent services – are the same in Missouri as they are in Texas, Kansas, and Oklahoma. Id. ¶¶ 18-19 & n.16. In view of this Commission’s approval of these features in the Texas and Kansas/Oklahoma Orders, it is beyond serious dispute that SWBT’s performance incentive plan in Missouri “includes appropriate, self-executing enforcement mechanisms that are sufficient to ensure compliance with the established performance standards.” Second Louisiana Order, 13 FCC Rcd at 20806, ¶ 364.⁹¹

These provisions establish SWBT’s satisfaction of all requirements for an effective performance remedy plan. See Texas Order, 15 FCC Rcd at 18560-65, ¶¶ 422-429; New York Order, 15 FCC Rcd at 4166-73, ¶¶ 433-443; Kansas Oklahoma Order ¶¶ 273-279. SWBT’s plan “provides a meaningful and significant incentive to comply with the designated performance standards.” New York Order, 15 FCC Rcd at 4167, ¶ 433. It contains clearly stated, comprehensive measures and standards that are designed to detect and sanction deficient performance, and its payment provisions are self-executing. Finally, as a result of independent

⁹¹ See also Texas Order, 15 FCC Rcd at 18559, ¶ 420; New York Order, 15 FCC Rcd at 4164-65, ¶ 429.

data testing, CLECs and regulators have strong assurance that SWBT's performance reports are accurate. See Dysart Aff. ¶¶ 178-186.

IV. SOUTHWESTERN BELL WILL PROVIDE INTERLATA SERVICES IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION 272

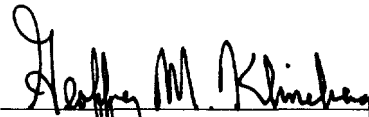
When providing authorized interLATA services in Missouri, SWBT and its long-distance affiliate(s) will operate independently of each other and conduct business on an arm's-length, nondiscriminatory basis in compliance with sections 271(d)(3)(B) and 272.⁹² As this Commission has found, "[t]he parent company, SBC Communications, Inc., has established one primary section 272 affiliate to provide in-region interLATA services in Kansas and Oklahoma upon gaining section 271 approval: Southwestern Bell Communications Services, Inc. ("SBCS"), which does business as Southwestern Bell Long Distance." Kansas/Oklahoma Order ¶ 259. Southwestern Bell Long Distance will likewise be SWBT's long distance affiliate in Missouri. See Carrisalez Aff. ¶ 9. The Commission has already found that SWBT has met its burden of proving compliance with section 272 in Texas, Kansas, and Oklahoma. See Kansas/Oklahoma Order ¶ 257; Texas Order, 15 FCC Rcd at 18549, ¶ 396. Because SBC maintains the identical structural separation and nondiscrimination safeguards in Missouri as it does in Texas, Kansas, and Oklahoma, the Commission should find, as the Missouri PSC has already found, that SBC also satisfies the requirements of section 272 in Missouri. See Final Missouri PSC Order at 90-91.

⁹² For a detailed discussion of SWBT's compliance with these requirements, see the Affidavits of Linda G. Yohe (App. A, Tab 22), Joe Carrisalez (App. A, Tab 19), and Robert Henrichs (App. A, Tab 20).

CONCLUSION

For the reasons presented above, this application should be granted.

Respectfully submitted,



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April 4, 2001

REQUIRED STATEMENTS

Pursuant to the Commission's Public Notice, Updated Filing Requirements for Bell Operating Company Applications Under Section 271 of the Communications Act, DA 01-734 (FCC Mar. 23, 2001), Southwestern Bell states as follows:

- (a) pages vii-ix of this Brief contain a table of contents;
- (b) pages i-vi of this Brief contain a concise summary of the substantive arguments presented;
- (c) pages 7-10 of this Brief contain a statement identifying how Southwestern Bell meets the requirements of section 271(c)(1); the table of contents of Appendix B identifies all of the agreements on which Southwestern Bell relies in its application; Attachment 3 to this Brief describes the status of federal-court challenges to the agreements pursuant to section 252(e)(6);
- (d) pages 3-7 of this Brief contain a statement summarizing the status and findings of the Missouri Public Service Commission's proceedings examining Southwestern Bell's compliance with section 271;
- (e) this Brief contains the legal and factual arguments outlining how the three requirements of section 271(d)(3) have been met, and is supported as necessary with selected excerpts from the supporting documentation (with appropriate citations): pages 7-85 address the requirements of section 271(d)(3)(A); page 97 addresses the requirements of section 271(d)(3)(B); and pages 85-97 address the requirements of section 271(d)(3)(C);
- (f) pages ix-xi of this Brief and Attachment 4 (separately bound) contain a list of all appendices (including affidavits) and the location of and subjects covered by each of those appendices;
- (g) Inquiries relating to access (subject to the terms of any applicable protective order) to any confidential information submitted by Southwestern Bell in this application should be addressed to:

Kevin B. Walker
Kellogg, Huber, Hansen, Todd & Evans, P.L.L.C.
Sumner Square
1615 M Street, N.W., Suite 400
Washington, D.C. 20036-3209
Telephone: (202) 367-7820

- (h) Anti-Drug Abuse Act certifications as required by 47 C.F.R. § 1.2002, and certifications signed by officers or duly authorized employees certifying that all information supplied in this application is true and accurate to the best of their information and belief are included as Attachment 2 to this Brief.

- (i) Application materials and any subsequent submissions can be found at <http://www.sbc.com>. This website is also identified at footnote 4 on page 2 of this Brief.



**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of


Application by SBC Communications Inc.,
Southwestern Bell Telephone Company, and
Southwestern Bell Communications Services,
Inc. d/b/a Southwestern Bell Long Distance for
Provision of In-Region, InterLATA Services in
Missouri

CC Docket No. _____

**DECLARATION AND VERIFICATION OF PAUL K. MANCINI
AND ANTI-DRUG ABUSE ACT OF 1988 CERTIFICATION
OF SOUTHWESTERN BELL COMMUNICATIONS SERVICES
(d/b/a SOUTHWESTERN BELL LONG DISTANCE)**

1. I am Vice President and Assistant General Counsel of SBC Communications Inc ("SBC"). I am authorized to make this declaration on behalf of SBC.
2. I have reviewed the foregoing Application by SBC, Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance for Provision of In-Region, InterLATA Services in Missouri, and the materials filed in support thereof.
3. The information contained in the Application has been provided by persons with knowledge thereof. All information supplied in the Application is true and accurate to the best of my knowledge, information, and belief formed after reasonable inquiry.
4. I further certify that SBC is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.
5. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 4, 2001.



Paul K. Mancini

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

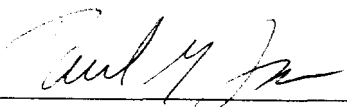
Application by SBC Communications Inc.,
Southwestern Bell Telephone Company, and
Southwestern Bell Communications Services,
Inc. d/b/a Southwestern Bell Long Distance for
Provision of In-Region, InterLATA Services in
Missouri

CC Docket No. _____

**DECLARATION AND VERIFICATION OF PAUL G. LANE
AND ANTI-DRUG ABUSE ACT OF 1988 CERTIFICATION
OF SOUTHWESTERN BELL COMMUNICATIONS SERVICES
(d/b/a SOUTHWESTERN BELL LONG DISTANCE)**

1. I am General Counsel – Missouri of Southwestern Bell Telephone Company (“SWBT”). I am authorized to make this declaration on behalf of SWBT.
2. I have reviewed the foregoing Application by SBC Communications Inc., SWBT, and Southwestern Bell Communications Services Inc. d/b/a Southwestern Bell Long Distance for Provision of In-Region, InterLATA Services in Missouri, and the materials filed in support thereof.
3. The information contained in the Application has been provided by persons with knowledge thereof. All information supplied in the Application is true and accurate to the best of my knowledge, information, and belief formed after reasonable inquiry.
4. I further certify that SWBT is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.
5. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 4, 2001.



Paul G. Lane

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of


Application by SBC Communications Inc.,
Southwestern Bell Telephone Company, and
Southwestern Bell Communications Services,
Inc. d/b/a Southwestern Bell Long Distance for
Provision of In-Region, InterLATA Services in
Missouri

CC Docket No. _____

**DECLARATION AND VERIFICATION OF JOE CARRISALEZ
AND ANTI-DRUG ABUSE ACT OF 1988 CERTIFICATION
OF SOUTHWESTERN BELL COMMUNICATIONS SERVICES
(d/b/a SOUTHWESTERN BELL LONG DISTANCE)**

1. I am Director – Regulatory of Southwestern Bell Communications Services (d/b/a Southwestern Bell Long Distance) (“SBLD”). I am authorized to make this declaration on behalf of SBLD.
2. I have reviewed the foregoing Application by SBC Communications Inc., Southwestern Bell Telephone Company, and SBLD for Provision of In-Region, InterLATA Services in Missouri, and the materials filed in support thereof.
3. The information contained in the Application has been provided by persons with knowledge thereof. All information supplied in the Application is true and accurate to the best of my knowledge, information, and belief formed after reasonable inquiry.
4. I further certify that SBLD is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.
5. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 4, 2001.


Joe Carrisalez

FEDERAL COURT CHALLENGES UNDER 47 U.S.C. § 252(e)(6)

The following case represents the only ongoing litigation under 47 U.S.C. § 252(e)(6) that relates to interconnection agreements approved by the Missouri Public Service Commission:

AT&T Communications of the Southwest, Inc. v. Southwestern Bell Tel. Co., 86 F. Supp. 3d 932 (W.D. Mo. 1999) (emphasis added), rev'd and vacated, 236 F.3d 922 (8th Cir.), stay granted, No. 99-3833 (8th Cir. Feb. 7, 2001) (pending the Supreme Court's decision in Verizon Communications Inc. v. FCC, No. 00-511 (U.S.) (oral argument to be scheduled)).

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Application by SBC Communications Inc., et al.
For Provision of In-Region, InterlATA
Services in Missouri

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¹ CD-ROM contained in box.

² Contained in the same box with Appendix D.